

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. William Earl Elliott

Docket No. 5:96-CR-87-3H

Petition for Action on Supervised Release

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of William Earl Elliott, who, upon an earlier plea of guilty to 21 U.S.C. §846, Conspiracy to Possess with Intent to Distribute and Distribute Cocaine Base, Heroin, and Marijuana, and 18 U.S.C. §924(c), Use and Carry of a Firearm During and in Relation to a Drug Trafficking Crime, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on January 12, 1999, to the custody of the Bureau of Prisons for a term of 180 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.

William Earl Elliott was released from custody on October 6, 2010, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant tested positive for marijuana on June 21, 2011, and signed an admission stating he used marijuana on June 12, 2011. The defendant has been placed back in our Surprise Urinalysis Program and it is requested that the defendant perform 24 hours of community service as a sanction for his drug use.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

William Earl Elliott
Docket No. 5:96-CR-87-3H
Petition For Action
Page 2

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: June 30, 2011

ORDER OF COURT

Considered and ordered this 5th day of July, 2011, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge